

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

CHASITY WARD

PLAINTIFF

v.

Civil No. 4:20-cv-04006

JAILER LACEY GRACE, Howard County
Detention Center ("HCDC"); and CHIEF
DEPUTY JOHN ERIC, HCDC

DEFENDANTS

ORDER

Plaintiff Chasity Ward proceeds in this action *pro se* and *in forma pauperis* pursuant to 42 U.S.C. § 1983. Currently before the Court is Defendant Grace and Eric's Motion to Compel. (ECF No. 24). Plaintiff has not responded.

In their motion Defendants state, they first propounded Interrogatories and Requests for Production of Documents to Plaintiff on May 28, 2020. The discovery requests were mailed to Plaintiff's address of record – McPherson Unit, 302 Corrections Drive, Newport, Arkansas 72112. (ECF No. 24-1, p. 1). The mailing was not returned to defense counsel as undeliverable and Plaintiff did not respond. On July 7, 2020, Defendants attempted to resolve the discovery dispute in good faith without court intervention and sent correspondence to Plaintiff requesting the past due discovery responses by July 21, 2020, or a motion to compel would be filed.

Under the Federal Rules of Civil Procedure, Plaintiff is afforded thirty (30) days to respond to discovery requests. Fed. R. Civ. P. 33(b)(2) & 34(b)(2)(A). To date, Plaintiff has not responded to Defendants' requests and has not filed a response to the Motion to Compel even after being ordered to do so by this Court. (ECF Nos. 25, 26).

Accordingly, Defendants' Motion to Compel (ECF No. 24) is **GRANTED**. Plaintiff is **DIRECTED** to provide Defendants with the required responses to the discovery requests, **by 5:00**

p.m. on August 26, 2020. Plaintiff is advised that failure to comply with this Order shall result in the dismissal of this case.

IT IS SO ORDERED this 12th day of August 2020.

/s/ *Barry A. Bryant*

HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE